



AF/IFW  
Patent  
098719-100001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Michael R. SPENCER, et al.

Serial No.: 10/731,898

Filed: December 9, 2003

For: COVER SYSTEM FOR TRUCK  
BOX

)  
) Confirmation No.: 4701

)  
) Group Art Unit: 3612

)  
) Examiner: Blankenship, Gregory A.

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE UNDER 37 CFR 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT  
APPEALS AND INTERFERENCES AND TRANSMITTAL FOR AMENDMENT  
AND RESPONSE AFTER FINAL REJECTION

Applicant hereby appeals to the Board from the decision of the Primary Examiner mailed March 15, 2006, finally rejecting claims 1-8, 10, 13-15, 19-27 and 29-34. Furthermore, transmitted herewith is an Amendment and Response after Final Rejection (37 C.F.R. 1.116) for this application.

The items checked below are appropriate:

☒ "Small Entity Status" of this application under 37 CFR 1.27 has been established.

☐ A Verified Statement to establish "Small Entity Status" under 37 CFR 1.9 and 1.27 is enclosed.

03/20/2006 MWOLDGE1 00000018 502468 10731898

01 FC:2253 510.00 DA  
02 FC:2401 250.00 DA

CERTIFICATE OF MAILING  
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313-1450.

September 15, 2006  
Date of Deposit  
LAI-2259690v1

Yolanda Ybuan

Name of Person Mailing Paper

*Yolanda Ybuan*

Signature of Person Mailing Paper

## FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 CFR 1.17(b), the fee for filing the Notice of Appeal is:

- ☐ other than a small entity \$500.00  
☒ small entity \$250.00

**Notice of Appeal Fee Due: \$250.00**

## EXTENSION OF TIME

- ☒ Applicant(s) petitions for an extension of time under 37 CFR 1.136 [fees: 37 CFR 1.17(a)-(d)] for the total number of months checked below:

EXTENSION (months)	FEE FOR SMALL ENTITY	FEE FOR OTHER THAN SMALL ENTITY
<input type="checkbox"/> one month	\$60.00	\$120.00
<input type="checkbox"/> two months	\$225.00	\$450.00
<input checked="" type="checkbox"/> three months	\$510.00	\$1,020.00
<input type="checkbox"/> four months	\$795.00	\$1,590.00
<b>Fee</b>		<b>\$510.00</b>

**If an additional extension of time is required, please consider this a petition therefor.**

## FEES FOR CLAIMS:

The fees for claims (37 CFR 1.16(b)-(d)) have been calculated as shown below:

Total Claims	33	- 33	= 0 x \$50	\$0.00
Independent Claims	10	- 10	= 0 x \$200	\$0.00
Multiple Dependent Claims	\$360 (if applicable)			\$0.00
<b>TOTAL OF ABOVE CALCULATIONS</b>				<b>\$ 0.00</b>
Reduction by ½ for Filing by Small Entity. Note 37 CFR 1.9, 1.27, 1.28. If applicable, Verified Statement must be attached.				
<b>TOTAL FEES FOR CLAIMS SUBMITTED HEREWITH</b>				<b>\$0.00</b>

- ☐ A check in the amount of \_\_\_\_\_ is enclosed to cover the above fee(s).
- ☒ Charge Jones Day's Deposit Account No. **50-2468** in the amount of **\$760.00**.
- ☒ The Commissioner is authorized to charge Jones Day's Deposit Account No. **50-2468** for any fees required under 37 CFR §§ 1.16 and 1.17 that are not covered, in whole or

in part, by a check enclosed herewith and to credit any overpayments to said Deposit  
Account **50-2468**.

Respectfully submitted,

Dated: September 15, 2006

By: 

David A. Randall  
Reg. No. 37,217

Customer Number: 34026

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